

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

MAY 02 2023

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

UNITED STATES OF AMERICA,

v.

ROBERT DAVID SIMS, and
JOSHUA DAVID SINES,

Defendants.

Criminal No.

1:23-CR-19 TSK / MJA

Violations:

18 U.S.C. § 7(3)
18 U.S.C. § 113(a)(6)
18 U.S.C. § 242

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Deprivation of Rights under Color of Law)

On or about March 21, 2019, in Preston County, within the Northern District of West Virginia, defendants **ROBERT DAVID SIMS** and **JOSHUA DAVID SINES**, then correctional officers employed by the United States Department of Justice, Federal Bureau of Prisons, at the United States Penitentiary Hazelton, while acting under color of law, willfully deprived B.C. of the right, protected and secured by the Eighth Amendment to the United States Constitution and the laws of the United States, to be free from cruel and unusual punishment by a correctional officer, to wit: defendants **ROBERT DAVID SIMS** and **JOSHUA DAVID SINES** struck B.C., an inmate, in the face, head, arms, and torso, resulting in bodily injury to B.C., in violation of Title 18, United States Code, Section 242.

COUNT TWO

(Assault Resulting in Serious Bodily Injury)

On or about March 21, 2019, in Preston County, within the Northern District of West Virginia, and within the special maritime and territorial jurisdiction of the United States, to wit: United States Penitentiary Hazelton, defendants **ROBERT DAVID SIMS** and **JOSHUA DAVID SINES**, did knowingly and intentionally assault an inmate, B.C., resulting in serious bodily injury to B.C., in violation of Title 18, United States Code, Sections 7(3) and 113(a)(6).

A true bill,

/s/
Foreperson

/s/
WILLIAM IHLENFELD
United States Attorney

Brandon S. Flower
Assistant United States Attorney